



THE CITY OF SAN DIEGO

HOW TO OBTAIN A NEIGHBORHOOD USE PERMIT FOR A

Pushcart

CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT
1222 FIRST AVENUE, MS 302, SAN DIEGO, CA 92101-4153
Call (619) 446-5300 for appointments and (619) 446-5000 for information.

INFORMATION
BULLETIN

534

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Land Development Code Section 141.0619 governs pushcarts on private property and pushcarts in the public right-of-way. A Neighborhood Use Permit is required for installation of pushcarts in the public right-of-way. This information bulletin describes pushcarts, their permitted locations, permit requirements, and submittal requirements for their installation in the Public Right-of-Way. For their installation on private property, such as malls and retail spaces, other regulatory requirements may need to be addressed. These issues are not covered by this information bulletin.

I. WHAT IS A PUSHCART?

A pushcart is a moveable, wheeled, nonmotorized vehicle used by vendors for the sale of food or beverage products, fresh-cut flowers, or live plants in pots.

A. Permitted Locations on Private Property

Pushcarts are permitted on *private* property as a limited use in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones). Although a Neighborhood Use Permit for a Pushcart on private property is not required from the City of San Diego, the pushcart must comply with the Pushcart Regulations as identified in Land Development Code Section 141.0619.

B. Permitted Locations on Public Property

Pushcarts may be permitted in the public right-of-way with a Neighborhood Use Permit in the zones indicated with an "N" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), or in Planned Districts as identified in Chapters 10 and 15.

C. Pushcarts in Gaslamp Quarter

Pushcart operators who are requesting to locate their pushcarts on *public property* in the Gaslamp Quarter located in downtown San Diego must contact the Centre City Development Corporation (CCDC) to obtain a Neighborhood Development Permit for the Pushcart. Their offices are located at 235 W. Broadway, Suite. 1100. You may call CCDC at (619) 235-2200 or the Development Services Department at (619) 446-5000 to determine if the proposed location for your pushcart is in the Gaslamp Quarter.

II. SUBMITTAL REQUIREMENTS

Phone (619) 446-5300 to schedule a submittal appointment for a Pushcart Neighborhood Use Permit.

Documents referenced in this Information Bulletin

- General Application (DS-3032)
- Parcel Information Checklist (DS-302)
- Ownership Disclosure Statement (DS-318)
- Encroachment and Maintenance Removal Agreement (DS-3237)
- Information Bulletin 512, "How to Obtain Public Noticing Information"
- Information Bulletin 503, "Fee Schedule for Development & Policy Approvals/Permits"

At this appointment, provide information in the quantities shown below.

A. Application Package

Provide one copy of the following documents:

- ☐ General Application (DS-3032)
- ☐ Parcel Information Checklist (DS-302)
- ☐ Ownership Disclosure Statement (DS-318), signed by the adjacent street level business owner(s).
- ☐ Encroachment and Maintenance Removal Agreement (DS-3237). An Encroachment Maintenance and Removal Agreement allows for the placement of improvements in the public right-of-way. This is required at the time of submittal. This form must be signed and notarized by the property owner of the property directly adjacent to the pushcart. If the property owner and business owner are different, ensure this form is signed and notarized by the *property owner*.
- ☐ Grant Deed - A copy of the Grant Deed is required to provide proof of current ownership for the adjacent street level business.
- ☐ Authorization Form
The applicant must submit an Authorization Form signed by the adjacent street level business owner. The Authorization Form must be notarized. By signing the Authorization Form, the adjacent business owner is giving the pushcart operator permission to install and operate the pushcart adjacent to the business. An Authorization Form is provided on page 4 of this bulletin.

B. Photographic Survey

Provide two sets of photographs showing the area for the proposed sidewalk cafe. The photographs should be in color (minimum size 3" x 5" and maxi-

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mum size of 8" x 10"), placed in an envelope (not mounted), and include a map with key indicating the location and direction each photograph was taken.

C. Public Notice Package

A public notice package is required as part of your submittal. This will be used to notify adjacent tenants and property owners of the proposed pushcart. See Information Bulletin 512, "How to Obtain Public Noticing Information" for more details. The public notice package consists of the following:

- ☐ **Mailing Labels** - Provide one set of adhesive mailing labels, on 8 1/2" by 11" sheets. Each set includes the names and addresses of current property owners located within a 300 foot radius of the perimeter of the property for which an application is being made. Where properties are not owner-occupied, resident labels must also be provided in addition to the property owner labels.
- ☐ **Copy of Mailing Labels**
- ☐ **Assessor's Map(s)** - Assessor's Parcel Maps outlining a 300' radius from the *perimeter* of the premise adjacent of the sidewalk cafe.

D. Plans

Plans must be fully dimensioned and no larger than 8 1/2 inches by 11 inches. Provide six (6) sets of plans, to include:

☐ Site Plan

The site plan shows the general layout of the sidewalk area where the pushcart will be located. A sample site plan is provided on page 3 of this bulletin. It must be fully dimensioned and provide the information listed below.

1. Show the adjacent street-level business owner's name and address.
2. Show the pushcart owner's name and address.
3. Show the legal description and Assessor's Parcel Number(s) for the adjacent property.
4. Show the zoning designation and/or overlay zone designations.
5. Street, curb, sidewalk and, property lines and all existing/proposed improvements in the sidewalk area.
6. Frontage of the building or tenant space where the proposed pushcart will be located.
7. Dimension the pushcart.
8. Dimension the distance between the pushcart and the curb. A minimum of 8'-0" of paved sidewalk must be provided for sufficient pedestrian traffic.
9. Dimension the distance between any obstruction (parking meters, lights, signs, mailboxes, trees, tree grates, etc.) in the sidewalk area to the pushcart. A minimum distance of 8'-0" is required for pedestrian traffic.

☐ Elevation Plan

This is a dimensioned drawing of the pushcart which can be seen from the sidewalk. Photos may be substituted for elevation drawings. Include the following information on the elevation drawing or photo:

1. Front view of the pushcart.
2. Dimension the height of the pushcart.

III. FEES

Fees must be paid at the time of submittal. Refer to Information Bulletin 503, "Fee Schedule for Development & Policy Approvals/Permits." Application fees are nonrefundable, regardless of whether a Neighborhood Use Permit is approved or denied.

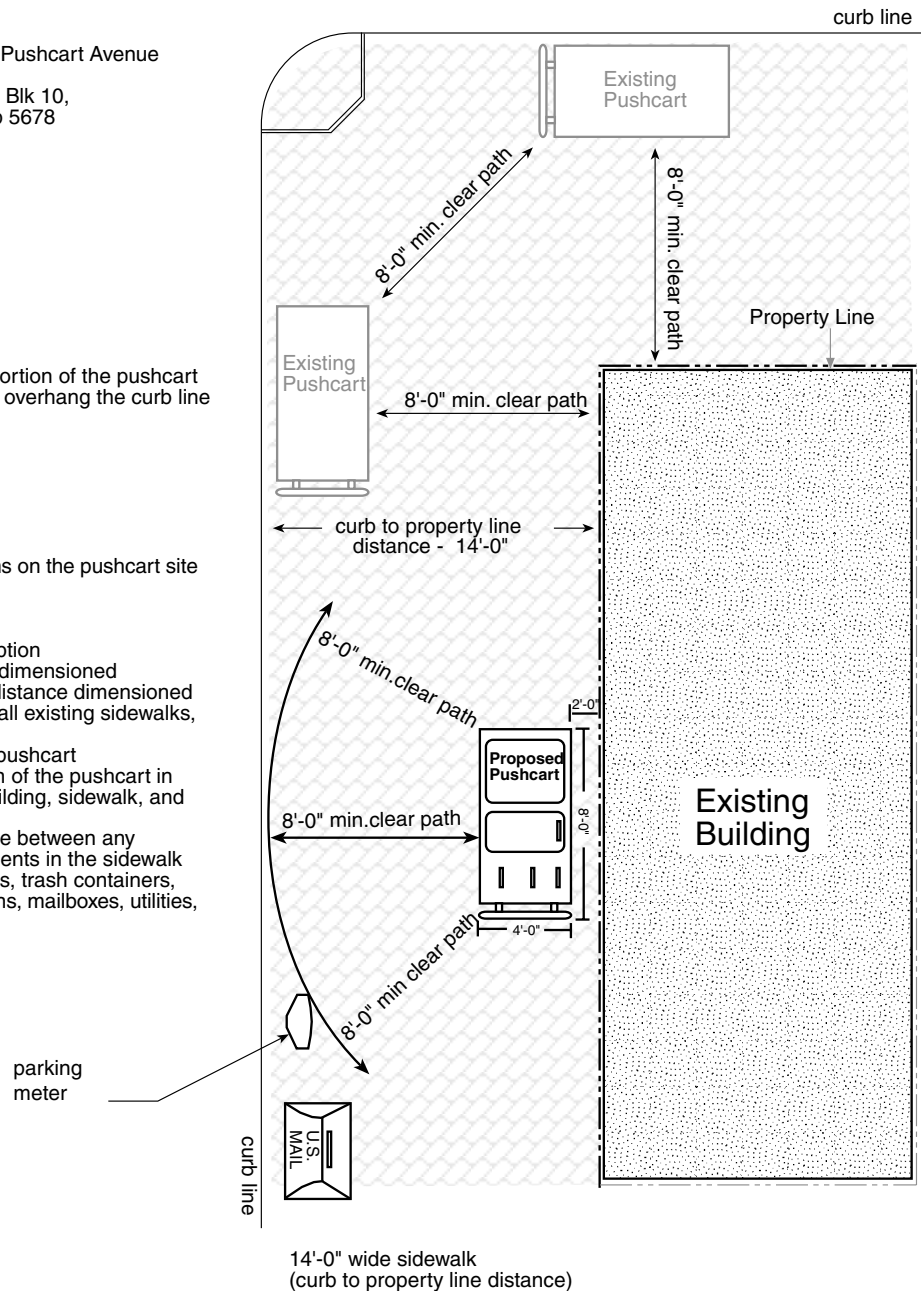
Sample Pushcart Site Plan

Owner - John Smith
Property Address - 1234 Pushcart Avenue
San Diego, CA 92101
Legal Description - Lot 9, Blk 10,
Sample Subdivision, Map 5678
APN 111-222-33

No portion of the pushcart shall overhang the curb line

Indicate the following items on the pushcart site plan.

1. North arrow
2. Complete legal description
3. All property lines fully dimensioned
4. Curb to property line distance dimensioned
5. Location and width of all existing sidewalks, curb cuts, and driveways
6. Location of proposed pushcart
7. Dimension the location of the pushcart in relation to the existing building, sidewalk, and street curb line
8. Dimension the distance between any obstructions or improvements in the sidewalk area to the pushcart: trees, trash containers, parking meters, traffic signs, mailboxes, utilities, etc.



Scale: $1/8" = 1' - 0"$





THE CITY OF SAN DIEGO

City of San Diego
Development Services Department
1222 First Ave., MS-302
San Diego, CA 92101-4153
(619) 446-5000 for information

AUTHORIZATION FORM

Pushcart in the Public Right-of-Way

Authorization to install and operate a pushcart within the public right-of-way in accordance with Section 141.0619 of the City of San Diego Municipal Code.

Pushcart Operator Name _____

Pushcart Location _____

I/We, as proprietor(s) of the adjacent street floor business known as:

and located at:

do hereby authorize the applicant named above to install and operate a "Pushcart," in accordance with the requirements of the Pushcart Regulations.

Office Use Only

Neighborhood Use Permit Number: _____

Lambert Coordinates: _____

Date: _____

Approved by: _____